

NINETEENTH DAY

(Monday, February 17, 1947)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Crawford, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 13, 1947, was dispensed with and the Journal approved.

Reports of Standing Committees

Senator Hazlewood submitted the following reports:

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Aeronautics, to whom was referred Senate Bill No. 194, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Aeronautics, to whom was referred Senate Bill No. 193, have had same under consideration and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 13, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred Senate Bill No. 131, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute for Senate Bill No. 131 do pass in lieu thereof and be printed.

HAZLEWOOD, Chairman.

C. S. S. B. No. 131 was read first time.

Senator Carney submitted the following reports:

Austin, Texas,
February 17, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 166, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
February 17, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 165, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, but not to be printed.

CARNEY, Chairman.

Senator Taylor submitted the following report:

Austin, Texas,
February 17, 1947,

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Finance, to whom was referred Senate Bill No. 160, instructs me to report it back to the Senate with the recommendation that it do pass and be mimeographed.

TAYLOR, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senator Vick:

S. B. No. 217, A bill to be entitled "An Act to amend Article 6698, Revised Civil Statutes of Texas, 1925, so as to provide that any incorporated city or town in the State of Texas shall be authorized and empowered to levy and collect a city permit fee or a street rental charge on motor vehicles operated for hire under the provisions of a city ordinance and not under permit or certificate of the Railroad Commission of the State of Texas or the Interstate Commerce Commission; and declaring an emergency."

To Committee on Towns and City Corporations.

By Senator Knight:

S. B. No. 218, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas of the sum of Forty Thousand Dollars (\$40,000.00) not otherwise appropriated, to cover the payment of taxes on State Prison Farm lands located in Walker, Houston, and Madison Counties now due and unpaid, exclusive of penalties and interest, by the State of Texas to said Counties and to the Independent School Districts in which said lands are located, for the years 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946 and to become due for the years 1947 and 1948; authorizing payment of said taxes by the Comptroller of Public Accounts upon proper statements; and declaring an emergency."

To Committee on Finance.

By Senator Bullock:

S. B. No. 219, A bill to be entitled "An Act declaring the policy of the State relative to the Permanent School Fund and the Available Fund and insolvent school districts owing such Funds; authorizing the State Board of Education to revise, readjust, modify, refinance and refund debts due such Funds by insolvent school districts; prescribing conditions under which refunding bonds may be accepted in exchange for obligations due such Funds; prescribing terms and conditions of refunding bonds to be thus accepted; providing manner in which such refund-

ing bonds shall be authorized by such Districts; authorizing the State Treasurer to exchange bonds and obligations held by him as Custodian of said Funds; enacting other provisions relating to the subject; prohibiting the release or extinguishment of any debt or obligation due and payable to either Fund; providing this Act shall take precedence in event of conflict with other laws; providing severability clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Carney:

S. B. No. 220, A bill to be entitled "An Act authorizing cities and towns having a population of Five Thousand (5,000), or less, inhabitants, according to the last preceding Federal census, to annex adjacent territory by an election called by the City Council or other governing body of said city or town."

To Committee on State Affairs.

By Senator Proffer:

S. B. No. 221, A bill to be entitled "An Act authorizing the creation of county-wide independent school districts, providing for petitions, order for election and declaration of results, defining who may vote, requiring metes and bounds, providing for the election of trustees, providing duties and qualifications of said trustees, providing for terms of office of trustees to fill vacancies at the next general election of trustees, providing for authority to hold tax elections, fixing tax rates, manage the schools, prescribing the method of taxation for maintenance and bonds until an equalized tax may be voted and bonds assumed, providing for the abolishment of the county board of school trustees in such districts; and declaring an emergency."

To Committee on Education.

By Senator Proffer:

S. B. No. 222, A bill to be entitled "An Act establishing the State Committee on Classification and Accreditation of Schools; defining its membership, authority, and duties; authorizing the said State Committee on Classification and Accreditation of Schools to classify and accredit rural schools, elementary schools, high schools, and colleges; authorizing said State Committee to set up rules, regulations, and qualifications

for the issuance of certificate of all classes; authorizing the issuance of teachers certificates and administrators certificates to holders of bachelors degree or higher degrees from approved colleges; repealing all conflicting laws; and declaring an emergency."

To Committee on Education.

By Senator Cousins:

S. B. No. 223, A bill to be entitled "An Act making it unlawful in the absence of and without the consent of the owner of an airplane for any person to drive, fly, operate, or cause to be driven, flown, or operated any airplane, and without the consent of the owner to climb upon such airplane or to manipulate any levers or other device to set such airplane in motion; making it unlawful for any person to wilfully break, injure or tamper with any part of any airplane for the purpose of injuring, defacing or destroying such airplane against the will and without the consent of the owner; or in any manner to wilfully or maliciously interfere with or prevent the running, flying, or operation of such airplane, or to wilfully cut, mark, scratch or damage such airplane or any part thereof, without the permission of the owner, or otherwise to tamper with such motor or remove any parts therefrom maliciously or wilfully or without the authority of the owner; providing a penalty, and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Cousins:

S. B. No. 224, A bill to be entitled, "An Act amending House Bill No. 855, Chapter 307, Acts of the 49th Legislature, Regular Session, 1945, now appearing as Article 3912e-8 providing for compensation for county attorneys, in counties having a population of more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, general or special, where there is no resident district attorney or criminal district attorney; authorizing such county attorneys to appoint assistants and employees and providing for their compensation, providing for transfer of funds and declaring an emergency."

To Committee on State Affairs.

By Senators Taylor and Chadick:

S. B. No. 225, A bill to be entitled "An Act relating to the avoidance and settlement of labor disputes and the promotion of industrial peace; creating the office of Labor Conciliator; defining his powers and duties; defining unfair labor practices; defining and making unlawful certain acts; providing for arbitration and court procedure in labor disputes; providing for the repeal of all laws or parts of laws in conflict with the provisions of this Act; providing for a saving and severability clause; and declaring an emergency."

To Committee on Labor.

By Senators Taylor and Jones:

S. B. No. 226, A bill to be entitled "An Act creating an optional system for the construction and maintenance of county roads and for the expenditure of the County Road and Bridge Fund; providing a short title; providing that this Act may become operative in any county in this State by election and prescribing the election procedure for adoption and abandonment; creating a county road department; prescribing duties, powers, and functions of county road departments; providing for the construction and maintenance of county roads and the ownership and use of county road equipment and materials on the basis of the county as a whole; creating the office of county road engineer; providing for the appointment of a county road engineer and prescribing the qualifications, powers, duties, tenure, salary, oath, and bond of the county road engineer; prescribing powers, duties, and responsibilities of the Commissioners' Court and the county road engineer with respect to the construction and maintenance of county roads and the operation of the county road department; providing for the designation of a qualified administrative officer to perform the duties of county road engineer in the absence or inability of the county road engineer; prescribing budget requirements for the county road department; providing that the county engineer shall be the representative of the county in inspecting work progress on county road construction and maintenance done by private contract; providing that the county road engineer shall certify to the correctness of claims and adequacy of work done on county road construction and

maintenance by private contract; providing the procedure for purchasing of equipment, materials, supplies, and service for the construction and maintenance of county roads and the operation of the county road department; providing for incidental matters; containing a severability clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Hazlewood:

S. B. No. 227, A bill to be entitled "An Act amending Article 6008, Title 102, Vernon's Annotated Revised Civil Statutes of the State of Texas, Revision of 1925, (House Bill No. 211 of the Regular Session of the 47th Legislature, 1941), redefining waste and authorizing the use of sweet gas for the manufacture of carbon black without extracting the natural gasoline content therefrom, where such gas is unitized in a plant producing an average recovery of not less than two (2) pounds of carbon black to each one thousand (1,000) cubic feet of gas; authorizing the manufacture of carbon black from sweet gas produced from wells located in a common reservoir producing both sweet and sour gas where it is utilized in a plant producing an average recovery of not less than two (2) pounds of carbon black to each one thousand (1,000) cubic feet of gas, and where the royalty rate or price paid at least equals the average royalty rate or average price paid for gas used for light and fuel purposes; providing a repealing clause; providing a savings clause; and declaring an emergency."

To Committee on Oil, Gas and Conservation.

Senate Resolution 32

(Relating to Texas Unemployment Compensation Funds)

Senator Phillips offered the following resolution:

Whereas, Texas employers paid into the Federal Treasury last year approximately \$5,537,000.00 in Federal Unemployment Taxes; and

Whereas, those five and one-half million Texas dollars, along with sums from other states, were so paid into the Federal Treasury to finance the administration of an unemployment compensation law in Texas and the other states; and

Whereas, the Congress of the United States is by law charged with

the duty of returning at least a part of those Texas dollars to Texas for the sole purpose of paying all administrative costs of Texas Unemployment Compensation Commission in administering the Texas Unemployment Compensation Act; and

Whereas, the administrative funds granted to Texas for the first six months of 1947, amounting to \$640,948.00, are so inadequate that the Commission must discharge more than 150 employees, and is prevented from granting its remaining employees the salary increases which the Texas Legislature has just granted to other Texas state departments; and

Whereas, Texas employers and workers, Texas veterans and other Texas taxpayers are being deprived, by the failure of Congress to grant sufficient administrative funds to Texas, of their right to a proper administration of the Texas Unemployment Compensation law including:

(1) Thorough examination of doubtful claims

(2) Investigation of cases involving fraud

(3) Opportunity for Texans living in smaller towns to file claims

(4) Service to Texas veterans of World War II; and

Whereas, because of the shortage of operating funds, the Texas Commission has been required to cancel claims and investigation service at ninety-nine itinerant points within the past two months and will, in all probability, find it necessary to stop service at additional itinerant points; and

Whereas, this absence of service at these points is discriminatory against individuals living in and around those smaller Texas cities; and

Whereas, the lack of funds to pay for proper investigation processes will inevitably result in higher taxes on Texas employers under the experience rates provided by the Texas Unemployment Compensation Act: Now, therefore, be it

Resolved, That the Senate of Texas strongly urge the members of the Congress of the United States to make available to the Social Security Administration adequate money for a grant of administrative funds to the Texas Unemployment Compensation Commission to permit the type of administration of the Texas Unemployment Compensation Act for which the employers of Texas have already paid; and be it further

Resolved, That the Secretary of the Senate be instructed to send copies of this resolution to the Chairman of the Appropriations Committee of the House of Representatives of the United States, the Chairman of the Finance Committee in the Senate of the United States, and to the members of the Texas Congressional Delegation in the Senate and the House of Representatives of the United States.

PHILLIPS
KNIGHT
PROFFER

The resolution was read and transmitted to the President's table.

Senate Resolution 33
(National Security Week)

Senator Crawford offered the following resolution:

Whereas, the Reserve Officers Association of the United States is sponsoring National Security Week from February 12 through February 22, 1947; and

Whereas, observance of this week has been approved by President Truman and the War and Navy Departments; and

Whereas, Governor Jester has issued a proclamation setting February 12 to February 22, 1947, as National Security Week and asked public observance thereof; and

Whereas, the Senate of Texas likewise wishes to express its wholehearted approval of this week to call to the attention of the citizens of this great State the necessity of constant vigilance to preserve the peace so bitterly won; now, therefore, be it

Resolved by the Senate of the Fiftieth Legislature of the State of Texas, that the citizens of Texas be asked to observe National Defense Week in the manner requested by Governor Jester in his proclamation, and that the Reserve Officers Association be congratulated on their past and present services to their country in war and peace, and that the observance of National Security Week be hereby strongly endorsed by this body.

CRAWFORD
MOFFETT.

The resolution was read and transmitted to the President's table.

Senate Concurrent Resolution 11

Senator Cousins offered the following resolution:

S. C. R. No. 11, Providing that cost of Inaugural Ceremonies be paid out of contingent expense fund.

Whereas, The joint committee appointed pursuant to the provisions of S. C. R. No. 1, to arrange for the inauguration of the Governor and Lieutenant Governor, necessarily incurred certain expenses in constructing a platform and installing an address system, and for decorations, etc.; now, therefore be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the expenses thus incurred be paid out of the contingent expense funds of the two Houses, one-half of said expense to be paid by the Senate, and one half by the House.

The resolution was read and transmitted to the President's table.

Senate Concurrent Resolution 12

Senator Parrish offered the following resolution:

S. C. R. No. 12, Extending welcome to Red Raiders from Texas Tech.

Whereas, The Capital City has been invaded by a group numbering more than one hundred of the famous Red Raiders from Texas Tech; and

Whereas, these friendly West Texans represent one of the outstanding educational institutions of the State, famous for its pretty girls, fighting sons and battling football teams; and

Whereas, the Legislature of the State of Texas is honored to have this group visit the Capitol Building and desires that the stay of these famous Red Raiders in their Capital City be an enjoyable one, now, therefore,

Be it resolved by the Senate of the State of Texas, the House concurring,

That a hearty welcome be extended the Red Raiders from Texas Tech to the Legislative Chambers and to the Capital City, and be it further resolved that the group be congratulated upon the fine record of the institution they represent and be it further resolved that copies of this resolution be furnished the chairman of the group and that extra copies be sent to the President and the Chair-

man of the Board of Regents of Texas Tech.

The resolution was read and transmitted to the President's table.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
February 17, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

S. C. R. No. 3, Urging withdrawal of American support from Yugoslavia in the interest of humanity.

S. C. R. No. 10, Inviting Honorable Tom Clark to address a joint session of the Senate and House of Representatives, etc.

S. B. No. 177, Authorizing counties or any political sub-divisions of counties to make, and the State Highway Commission to accept, voluntary contributions of funds for expenditure by the State Highway Commission in the development of public roads in such counties or political sub-divisions; and declaring an emergency.

H. C. R. No. 13, Granting permission to Kenneth Moore to bring suit against the State of Texas.

H. B. No. 51, A bill to be entitled "An Act amending Article 5142 of the Revised Civil Statutes of Texas, 1925, as amended by Act of 1945, Forty-ninth Legislature, page 282, Chapter 205, so that same shall apply to Counties of from 20,000 to 80,000 population, having an assessed valuation of from \$14,500,000 to \$20,000,000, in which Counties one juvenile officer may be appointed by the Commissioners' Court, when in their judgment such officer is needed, who shall receive a salary of not more than \$200.00 per month; and declaring an emergency."

H. B. No. 164, A bill to be entitled "An Act authorizing the creation of a County-Wide Equalization Fund in certain counties; providing for an election for a tax to create the County-Wide Equalization Fund; providing for a distribution of the monies in the County-Wide Equalization Fund between the various

school districts within the counties; providing for the use of said monies; providing for the printing and form of ballots; providing the qualifications of the voters in said elections; and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act amending Article 4296, Revised Civil Statutes of 1925, as amended by Acts of 1943, 48th Legislature, Page 414, Chapter 281, Section 1, by providing for closing the guardianship when disabilities of minority are removed; and declaring an emergency."

H. B. No. 258, A bill to be entitled "An Act amending Article 3943, Revised Civil Statutes of Texas, 1925, as amended allowing additional compensation for county treasurer; repeal all laws in conflict; and declaring an emergency."

H. B. No. 205, A bill to be entitled "An Act to amend Article 6288, Revised Civil Statutes; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Joint Resolution 4 on Second Reading

The President laid before the Senate for consideration at this time, on its second reading and passage to engrossment:

S. J. R. No. 4, Proposing an amendment to Article VII of the Constitution of the State of Texas by the addition of two new sections to be known as Sections 17 and 18, providing a method of payment for the construction and equipment of buildings and other permanent improvements at state institutions of higher learning; providing for an election and the issuance of a proclamation therefor.

The resolution was read second time.

Pending consideration of the resolution, Senator Aikin occupied the chair temporarily.

(President in the Chair.)

Senator Parrish offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 4 by striking out the following in lines 15, 16, 17, 18, and 19, page 2, Section 17, under Section I: "and all such designated institutions of higher learning which participate in the allo-

cation or re-allocation of such funds shall not thereafter receive any other State funds for the acquiring or constructing of buildings or other permanent improvements for which said five (\$.05) cents ad valorem tax is herein provided."

Senator Aikin moved to table the amendment.

The motion prevailed by the following vote:

Yeas—19

Aikin	Ramsey
Brown	Stewart
Carney	Strauss
Crawford	Taylor
Harris	Tynan
Kelly of Tarrant	Vick
Lane	Weinert
Moffett	Winfield
Phillips	York
Proffer	

Nays—11

Bullock	Kelley of Hidalgo
Chadick	Knight
Cousins	Morris
Hardeman	Parrish
Hazlewood	Stanford
Jones	

Absent—Excused

Mauritz

Senator Moffett offered the following amendment to the resolution:

Amend S. J. R. No. 4 by striking out the words "exclusive of commission" in lines 51 and 52 of printed resolution.

MOFFETT
TAYLOR

The amendment was adopted by the following vote:

Yeas—21

Aikin	Knight
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Cousins	Stewart
Crawford	Taylor
Hardeman	Vick
Harris	Weinert
Jones	York
Kelley of Hidalgo	

Nays—8

Kelly of Tarrant	Stanford
Lane	Strauss
Phillips	Tynan
Proffer	Winfield

Absent

Hazlewood

Absent—Excused

Mauritz

Senator Knight offered the following amendment to the resolution:

Amend S. J. R. No. 4 by striking out the last sentence, Section No. 1, and inserting in lieu thereof the following:

"Such funds to be appropriated to the use of such schools in the amounts and at such time as the Legislature shall direct."

On motion of Senator Kelly of Tarrant, the amendment was tabled.

Senator Hazlewood offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 4 by striking out the following in lines 29, 30, 31, 32, and 33, of Section 17, under Section I: "provided, that this amendment shall not operate so as to affect adversely any taxes appropriated by donations or grants heretofore made by the Legislature to counties, cities, towns and districts pursuant to Section 51, Article 3, and Section 8, Article 11, of the Constitution."

The amendment was adopted by the following vote:

Yeas—21

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Parrish
Cousins	Ramsey
Crawford	Taylor
Hardeman	Vick
Harris	Weinert
Hazlewood	York
Jones	

Nays—9

Kelley of Hidalgo	Stewart
Kelly of Tarrant	Strauss
Phillips	Tynan
Proffer	Winfield
Stanford	

Absent—Excused

Mauritz

Senator Moffett moved to reconsider the vote by which the amendment was adopted.

Senator Hazlewood moved to table the motion to reconsider.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—20

Aikin	Jones
Brown	Knight
Bullock	Lane
Carney	Morris
Chadick	Parrish
Cousins	Ramsey
Crawford	Taylor
Hardeman	Vick
Harris	Weinert
Hazlewood	York

Nays—9

Kelley of Hidalgo	Stewart
Kelly of Tarrant	Strauss
Moffett	Tynan
Phillips	Winfield
Stanford	

Absent

Proffer

Absent—Excused

Mauritz

S. J. R. No. 4 was then passed to engrossment by the following vote:

Yeas—27

Aikin	Morris
Brown	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York
Moffett	

Nays—3

Bullock	Parrish
Carney	

Absent—Excused

Mauritz

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 17, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 29, Granting permission to the District Judges of the State of Texas to leave the State at certain time.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. C. R. No. 21, Relative to the appointment of a Joint Committee for the purpose of investigating needed repair to the Governor's Mansion.

H. C. R. No. 23, In memory of Mr. Sam Hanna.

H. C. R. No. 25, In memory of George T. Parkhouse.

H. C. R. No. 26, Regretting the illness of Honorable Fred C. Mauritz.

H. B. No. 70, Game law for Guadalupe County.

H. B. No. 123, A bill to be entitled "An Act amending Sec. 1a, of Acts 1939, 46th Leg., Spec. L., p. 831, as amended by Acts 1941, 47th Leg., p. 445, ch. 281, sec. 1, and Acts 1945, Reg. Ses. 49th Leg., ch. 110, p. 158, by thereto adding the counties of Frio, La Salle, Medina, McMullen, Uvalde and Zavala to make it therein lawful to capture, shoot or kill collared peccary or javelina at any time, etc, and declaring an emergency."

H. B. No. 271, A bill to be entitled "An Act to prohibit fishing or the taking of fish in San Saba County, Texas, by means of a trot line having more than twenty (20) hooks; prescribing a penalty; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

**House Bills and Resolutions on
First Reading**

The following House bills and resolutions received from the House today were laid before the Senate, read and referred to the committees indicated:

H. B. No. 258, to Committee on Counties and County Boundaries.

H. B. No. 51, to Committee on Counties and County Boundaries.

H. B. No. 164, to Committee on State Affairs.

H. B. No. 190, to Committee on Civil Jurisprudence.

H. B. No. 205, to Committee on Civil Jurisprudence.

H. C. R. No. 13, to Committee on Civil Jurisprudence.

H. C. R. No. 29, to Committee on State Affairs.

Hour for Executive Session

On motion of Senator Brown, the Senate agreed to hold an executive session at 11:40 o'clock a. m., tomorrow.

Adjournment

On motion of Senator Lane, the Senate, at 12:00 o'clock m., adjourned until 10:30 o'clock a. m., tomorrow.

In Memory of
Doctor Hatch Whitfield Cummings

Senator York offered the following resolution:

(Senate Resolution 34)

Whereas, On the 29th day of July, 1946, Dr. Hatch Whitfield Cummings, of Hearne, Texas, was called to his Heavenly reward; and

Whereas, Dr. Cummings' death culminated an outstanding lifetime of service as physician, public servant and a true Christian gentleman. His energy, will power and ambition are exemplified in the fact that he was an acting physician for 52 years and at the age of 38 served as the youngest president of the State Medical Association; and

Whereas, In his passing the State has lost a highly esteemed and useful citizen, who was born in Aberdeen, Mississippi on September 14, 1869; received his early education in the public schools of Fulton, Mississippi; was graduated from the University of Tennessee in 1892; came to Texas at the age of eighteen and settled in Hearne, Texas where he remained until his death; and

Whereas, Dr. Cummings was an outstanding leader as is evidenced by the many honors which he held during his lifetime, including local surgeon for the Missouri Pacific and Southern Railroads; one of the organizers and first president of the Brazos Valley Medical Association; a lifetime member of the American Medical Association and the State Medical Association of which he was president in 1908 and 1909; a member of the Brazos-Robertson County Medical Society of which he was president from 1927 until 1931; chairman of the Section of State Medicine and Public Hygiene of the State Medical Association in 1910 and 1919; Councilor of the Eleventh District from 1906 to 1907 and Councilor of the Twelfth District from 1907 to 1908; and

Whereas, In addition to a busy general practice and his many contributions to medical organizations, Dr. Cummings found time for leadership in civic and community affairs. He served as president of the Hearne School Board for 18 years; as president of the Hearne Building and Loan Association for 35 years; as president of the Planters and Merchants State Bank, Chamber of Commerce, Rotary Club, and X-All Highway Association; and

Whereas, He was an outstanding Christian layman, being a member of the Hearne Methodist Church where he served as a member of the Board of Stewards since 1894 and as superintendent of the Sunday School for a number of years; and

Whereas, Dr. Cummings served the State in many important capacities having been instrumental in getting the bill passed to establish the State Board of Health to which he was appointed from 1909 to 1911. He served as a member of the Texas State Board of Medical Examiners from 1925 to 1935, and as president of the Board from 1927 to 1930; and

Whereas, Dr. Cummings took an active interest in political affairs of both his community and his beloved adopted State; he served as a member of the State Democratic Executive Committee for six years; and

Whereas, He was always willing to contribute generously of his time, his means and his talents to the end that the welfare of his fellow citizens might be improved; and

Whereas, He was a faithful husband and father; and

Whereas, It is the desire of the Senate of Texas to recognize and pay tribute to the services and useful life of this outstanding Texan, Dr. Hatch Whitfield Cummings, and to express sympathy to his family and friends; now, therefore, be it

Resolved, By the Senate of Texas that the loss of this esteemed physician and public servant is a loss to the whole State, and that a copy of this resolution be sent to the members of his family as a tribute to his full and useful life; that when the Senate adjourns today it do so in respect and honor of Dr. Hatch Whitfield Cummings; and that a page be set aside in the Senate Journal in his memory.

The resolution was read and was adopted.